

### **AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

### **LISTING OF CLAIMS:**

1. (Currently Amended) In a multimedia communications network having a plurality of network elements, a method of assigning responsibility for playing tones and announcements to a network element, the method comprising:

receiving a call from a caller to a subscriber at a first network element, as part of the call a tone or an announcement needs to be played to the subscriber;

determining whether a second network element is able to play the tone or the announcement;

playing the tone or the announcement through the second network element, if the second network element is able to play the tone or announcement;

attempting to locate a third network element that is able to play the tone or the announcement, if the second network element is not able to play the tone or the announcement; and

playing the tone or the announcement through the third network element, if the third network element is located.

2. (Original) The method defined in claim 1, wherein the first network element comprises a call session control function.

3. (Original) The method defined in claim 1, wherein the second network element comprises an originating media gateway.

4. (Original) The method defined in claim 1, wherein the third network element comprises a multimedia resource function processor.

5. (Original) The method defined in claim 2, wherein the second network element comprises an originating media gateway.

6. (Original) The method defined in claim 5, wherein the third network element comprises a multimedia resource function processor.

7. (Currently Amended) The method defined in claim 1, further comprising:

receiving data associated with the second network element and the third network element; and

using the data in determining where to play the tone or the announcement.

8. (Original) The method defined in claim 7, wherein the data includes at least one of the load levels of the second and third network elements, the digital signal processing resources available at the second and third network elements, the internet protocol resources available at the second and third network elements, the time division multiplex resources available at the second and third network elements, the asynchronous transfer mode resources available at the second and third network

elements, and the proximity of the third network element to the subscriber's location in the network.

9. (Original) The method defined in claim 8, wherein the first network element comprises a call session control function, the second network element comprises an originating media gateway, and the third network element comprises a multimedia resource function processor.

10. (Currently Amended) In a multimedia telecommunications network having a plurality of network elements, a system for assigning responsibility for playing tones and announcements to a network element, the system comprising:

a first network element for receiving a call from a caller to a subscriber, as part of the call a tone or an announcement needs to be played to the subscriber;

determining means for determining whether a second network element is able to play the tone or the announcement;

means for playing the request through the second network element, if the second network element is able to play the tone or the announcement;

attempting means for attempting to locate a third network element that is able to play the tone or the announcement, if the second network element is not able to play the tone or the announcement; and

means for playing the tone or ~~announcement~~ the announcement through the third network element, if the third network element is located.

11. (Original) The system defined in claim 10, wherein the first network element comprises a call session control function.

12. (Original) The system defined in claim 10, wherein the second network element comprises an originating media gateway.

13. (Original) The system defined in claim 10, wherein the third network element comprises a multimedia resource function processor.

14. (Original) The system defined in claim 11, wherein the second network element comprises an originating media gateway.

15. (Original) The system defined in claim 14, wherein the third network element comprises a multimedia resource function processor.

16. (Currently Amended) The system defined in claim 10, further comprising:

receiving means for receiving data associated with the second network element and the third network element; and

using the data in determining where to play the tone or the announcement.

17. (Original) The system defined in claim 16, wherein the data includes at least one of the load levels of the second and third network elements, the

digital signal processing resources available at the second and third network elements, the internet protocol resources available at the second and third network elements, the time division multiplex resources available at the second and third network elements, the asynchronous transfer mode resources available at the second and third network elements, and the proximity of the third network element to the subscriber's location in the network.

18. (Original) The system defined in claim 17, wherein the first network element comprises a call session control function, the second network element comprises an originating media gateway, and the third network element comprises a multimedia resource function processor.